

WARRANT FOR ANNUAL TOWN MEETING

ELECTION

Saturday, April 6, 2024



**ANNUAL TOWN MEETING
Wednesday, April 24, 2024**

TOWN OF ARLINGTON

TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several Precincts in said Town on

SATURDAY
THE SIXTH DAY OF APRIL 2024

at eight o'clock in the forenoon, to act on the following articles, namely:

ARTICLE 1 TO ELECT BY BALLOT:

- A) One Assessor for three years
- B) Two Select Board Members for three years
- C) Two School Committee Members for three years
- D) One Housing Authority Board Member for five years

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members hereinafter specified:

PRECINCT 1 -	Four for three years;
PRECINCT 2 -	Four for three years;
PRECINCT 3 -	Four for three years;
PRECINCT 4 -	Four for three years;
PRECINCT 5 -	Four for three years;
PRECINCT 6 -	Four for three years; Two for two years (to fill a vacancy); One for one year (to fill a vacancy);
PRECINCT 7 -	Four for three years;
PRECINCT 8 -	Four for three years; One for two years (to fill a vacancy);
PRECINCT 9 -	Four for three years;
PRECINCT 10 -	Four for three years; One for two years (to fill a vacancy);
PRECINCT 11 -	Four for three years;
PRECINCT 12 -	Four for three years;
PRECINCT 13 -	Four for three years;
PRECINCT 14 -	Four for three years;
PRECINCT 15 -	Four for three years;
PRECINCT 16 -	Four for three years;
PRECINCT 17 -	Four for three years;
PRECINCT 18 -	Four for three years;
PRECINCT 19 -	Four for three years;
PRECINCT 20 -	Four for three years; One for two years (to fill a vacancy);
PRECINCT 21 -	Four for three years: One for one year (to fill a vacancy).

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

Precinct 1	Thompson School, 187 Everett Street
Precinct 2	Hardy School, 52 Lake Street (entrance on Brooks Avenue)
Precinct 3	Thompson School, 187 Everett Street
Precinct 4	Hardy School, 52 Lake Street (entrance on Brooks Avenue)
Precinct 5	Gibbs School, 41 Foster Street
Precinct 6	Hardy School, 52 Lake Street (entrance on Brooks Avenue)
Precinct 7	Gibbs School, 41 Foster Street
Precinct 8	Town Hall, 730 Massachusetts Avenue (beside Robbins Library)
Precinct 9	Town Hall, 730 Massachusetts Avenue (beside Robbins Library)
Precinct 10	Town Hall, 730 Massachusetts Avenue (beside Robbins Library)
Precinct 11	Bishop School, 25 Columbia Road (entrance on Stowcroft Road)
Precinct 12	Brackett School, 66 Eastern Avenue (Left at Water Tower at top of Park Avenue)
Precinct 13	Stratton School, 180 Mountain Avenue
Precinct 14	Brackett School, 66 Eastern Avenue (Left at Water Tower at top of Park Avenue)
Precinct 15	Stratton School, 180 Mountain Avenue
Precinct 16	Dallin School, 185 Florence Avenue (off Park Avenue)
Precinct 17	Peirce School, 85 Park Ave. Extension (entrance on Newland Road)
Precinct 18	Dallin School, 185 Florence Avenue (off Park Avenue)
Precinct 19	Peirce School, 85 Park Ave. Extension (entrance on Newland Road)
Precinct 20	Dallin School, 185 Florence Avenue (off Park Avenue)
Precinct 21	Peirce School, 85 Park Ave. Extension (entrance on Newland Road)

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Wednesday the 24th day of April 2024, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws. The location of Town Meeting is subject to change if conditions so require. For more information visit <https://www.arlingtonma.gov/townmeeting>

ARTICLE 2 STATE OF THE TOWN ADDRESS

To hear the Chair of the Select Board review important events in the past year in Arlington and preview expectations for next year.

(Inserted at the request of Envision Arlington)

ARTICLE 3 REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Select Board, Finance Committee, Redevelopment Board, School Committee and other committees, commissions, and boards heretofore appointed, or dissolve any inactive committees; and take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 4 APPOINTMENT OF MEASURER OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine; or take any action related thereto.

(Inserted by the Select Board)

ARTICLE 5 ELECTION OF ASSISTANT TOWN MODERATOR

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11.A, of the Bylaws; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 6**BYLAW AMENDMENT / VACANT STORE FRONT MAINTENANCE
REGISTRY**

To see if the Town will vote to amend Title V, Article 17 of the Town Bylaws ("Registration and Maintenance of Vacant Commercial and Industrial Buildings") to change certain definitions, registration requirements and maintenance requirements to increase the Bylaw's effectiveness and clarity; or take any action related thereto.

(Inserted at the request of the Director of Planning and Community Development and the Town Manager)

ARTICLE 7**BYLAW AMENDMENT / BETTERMENT BYLAW REVISION**

To see if the Town will vote to amend Title III Article 3 of the Town Bylaws: Repairs to Private Ways to revise the criteria, process, and other material terms for the approval and administration of repairs to private ways, including revising the number or percentage of abutters required for a betterment petition when representing an association, and increasing the required deposit before work can commence; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 8**BYLAW AMENDMENT / REVISED TOWN MEETING START TIME**

To see if the Town will vote to amend the Town Bylaws to: begin future Town Meetings at 7:30 pm and continue until 10:30 pm; to commence Spring Town Meeting on the 4th Monday in April, except when determined to conflict with a holiday or special event, at the discretion of the Select Board; or take any action related thereto.

(Inserted at the request of Phil Goff and ten registered voters)

ARTICLE 9**BYLAW AMENDMENT / START TIME FOR ANNUAL TOWN MEETING**

To see if the Town will vote to amend Title 1 "General Government" in Article 1, Section 1 of the Bylaws of the Town of Arlington ("Date of Annual Meeting and Adjournment") by striking in the last sentence "at eight o'clock in the evening" and inserting "seven thirty in the evening."

(Inserted at the request of Christa Kelleher and ten registered voters)

ARTICLE 10**BYLAW AMENDMENT / ANNUAL TOWN MEETING START DATE**

To see if the Town will vote to amend Title I, Article 1, Section 1 of the Town Bylaws to allow the Select Board to set alternative dates and times for the beginning of the Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Meeting Procedures Committee)

ARTICLE 11**BYLAW AMENDMENT / FOSSIL FUEL FREE BYLAW LANGUAGE
CHANGES**

To see if the Town will vote to amend Title VI, Article 10 of the Town Bylaws by altering certain definitions and provisions so that they are more consistent with the Massachusetts Department of Energy Resources' Fossil Fuel Free Demonstration Project Model Rule and related language set forth in 225 CMR 24.00 (a copy of which is on file with the Town Clerk); or take any action related thereto.

(Inserted at the request of the Director of Planning and Community Development and the Town Manager)

ARTICLE 12**BYLAW AMENDMENT / JOHN J. BILAFER ARLINGTON CITIZENS'
SCHOLARSHIP FUND – DOLLARS FOR SCHOLARS**

To see if the Town will vote to amend Title II, Article 1 of the Town Bylaws – The John J. Bilafer Arlington Citizens' Scholarship Fund – Dollars for Scholars, Section 4 "Scholarship Committee

and Officers" by adding "or their designee" at the end of the first sentence of Section 4; or take any action related thereto.

(Inserted at the request of the Treasurer)

ARTICLE 13 BYLAW AMENDMENT / LEAF BLOWER DATES OF TRANSITION

To see if the Town will vote to amend Title V, Article 12 of the Town Bylaws – Regulations Upon the Use of Private Property: Noise Abatement, to change dates of transition of gas powered leaf blowers to make the dates consistent between residential and commercial users as well as times of operation, Title V, Article 12, Section 3; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 14 BYLAW AMENDMENT / FOCUSED RESIDENCE PICKETING

To see if the Town will vote to amend Title I of the Town Bylaws to add a new provision to prohibit and make it unlawful for any person to engage in picketing focused on, or taking place in front of or about, a particular residence in the Town of Arlington; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 15 BYLAW AMENDMENT / PROHIBITION OF FAIR-TRADE RESTRICTIONS - FUR PRODUCTS SALES

To see if the Town will vote to amend Title I of the Town Bylaws to add a new provision to restrict the trade/sale in/of new fur products by making it unlawful to sell, offer for sale, trade or otherwise distribute for monetary or nonmonetary consideration a fur product; or take any action related thereto.

(Inserted at the request of Elizabeth Dray and ten registered voters)

ARTICLE 16 BYLAW AMENDMENT / PET SALE RESTRICTIONS / RETAIL PET SALES

To see if the Town will vote to amend Title I of the Town Bylaws to add a new provision to ban the sale of mammals, birds, reptiles, and amphibians in pet shops within the Town, by making it unlawful; or take any action related thereto.

(Inserted at the request of Asia Kepka and ten registered voters)

ARTICLE 17 BYLAW AMENDMENT / RIGHT TO PET COMPANIONSHIP

To see if the Town will vote to require rental agreements and condominium associations to permit residents to own a common household pet, or to have a common household pet present in the dwelling, in accordance with applicable state and local public health, animal control, and animal anti-cruelty laws and regulations; or take any action related thereto.

(Inserted at the request of Paul Schlichtman and ten registered voters)

ARTICLE 18 BYLAW AMENDMENT / HISTORIC BUILDING DEMOLITION DELAY

To see if the Town will vote to amend Title VI, Article 6 of the Town Bylaws ("Historically or Architecturally Significant Buildings") to extend the time period during which no demolition permit may be issued relative to a building that has been determined to be historically or architecturally significant by the Arlington Historical Commission from at least twelve months after the date of the application for demolition, to at least two years after the date of an application for demolition; or take any action related thereto.

(Inserted at the request of JoAnn Robinson and ten registered voters)

ARTICLE 19**VOTE / EXTEND TIME FOR ARTIFICIAL TURF STUDY COMMITTEE AND REPORT**

To see if the Town will vote to extend the Artificial Turf Study Committee and its report deadline as voted in Article 12 of the 2023 Annual Town Meeting, as follows: Publish a draft report in September, 2024, hold at least one public meeting in October, 2024 for public comment, and publish a final report in November, 2024 with copies to the Select Board, Town Clerk, and Town Moderator; and further, that the Committee shall be dissolved on November 30, 2024 (instead of concurrent with the 2024 Annual Town Meeting); or take any action related thereto.

(Inserted at the request of Susan Stamps and ten registered voters)

ARTICLE 20**HOME RULE LEGISLATION / TOWN CLERK**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to update the Town Manager Act to reflect the transition of the Town Clerk's Office from an elected to appointed position; or take any action related thereto.

(Inserted by the Select Board)

ARTICLE 21**HOME RULE LEGISLATION / TO AMEND THE SENIOR CITIZEN PROPERTY TAX EXEMPTION**

To see if the Town will vote to authorize and request the Select Board to request the Legislation or Senate and House of Representatives in General Court or other Special Legislation to amend Chapter 285 of the Acts of 2020 "An Act Authorizing the Town of Arlington To Establish A Means Tested Senior Citizen Property Tax Exemption" by inserting the following language at the end of Section 3"; or funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality's tax levy."; or take any action related thereto.

(Inserted at the request of the Board of Assessors)

ARTICLE 22**HOME RULE LEGISLATION / LOWERING THE VOTING AGE TO 16 IN LOCAL ELECTIONS**

To see if the Town will vote to authorize and request the Select Board to file Home Rule Legislation to petition the State Legislature to allow Arlington to lower the voting age from 18 to 16 for municipal elections; or take any action related thereto.

(Inserted at the request of Sophie Shen and ten registered voters)

ARTICLE 23**ENDORSEMENT OF CDBG APPLICATION**

To see if the Town will vote to endorse the application for Federal Fiscal Year 2025 prepared by the Town Manager and Select Board under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

(Inserted by the Select Board and at the request of the Town Manager)

ARTICLE 24**REVOLVING FUNDS**

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds, to appropriate sums of money to fund all revolving funds and determine how the money shall be raised or expended; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 25**ZONING BYLAW AMENDMENT / BUILDING DEFINITIONS**

To see if the Town will vote to amend Section 2: Definitions, in the Zoning Bylaw to amend the definitions of Building, Attached, and Building, Detached, to clear up an ambiguity between those two definitions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 26 ZONING BYLAW AMENDMENT / ADMINISTRATIVE CLARIFICATION

To see if the Town will vote to amend Section 5.4.2.A. R District Yard and Open Space Requirements in the Zoning Bylaw to reference an exception found elsewhere in the Zoning Bylaw; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 27 ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend Section 5.9.2. Accessory Dwelling Units for clarity to change how subsections are numbered and to remove a subsection that is outdated; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 28 ZONING BYLAW AMENDMENT / DELETE INLAND WETLAND OVERLAY DISTRICT

To see if the Town will vote to delete Section 5.8, Inland Wetland Overlay District, from the Zoning Bylaw and adjust the numbering of subsequent sections; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 29 ZONING BYLAW AMENDMENT / REDUCED HEIGHT BUFFER

To see if the Town will vote to amend Section 5.3.19. Reduced Height Buffer Area in the Zoning Bylaw to alter the height buffer requirements; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 30 ZONING BYLAW AMENDMENT / SHADED PARKING LOTS

To see if the Town will vote to amend Section 6.1.11.D. of the Zoning Bylaw to require that trees or other shade be provided in parking lots with more than 25 spaces; or take any action related thereto.

(Inserted at the request of Susan Stamps and ten registered voters)

ARTICLE 31 ZONING BYLAW AMENDMENT / ADD 5-7 WINTER STREET TO THE MBTA NEIGHBORHOOD DISTRICT

To see if the Town will add the Address of 5-7 Winter St., to the Neighborhood Multi-Family (NMF) Subdistrict Parcel List; or take any action related thereto.

(Inserted at the request of John Leone and ten registered voters)

ARTICLE 32 ZONING BYLAW AMENDMENT / TRAFFIC VISIBILITY

To see if the Town will vote to amend Section 5.3.12(A) of the Town's Zoning Bylaws to permit buildings, structures or vegetation across street corners if it can be shown that they will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the subject intersection; or take any action related thereto.

(Inserted at the request of Caitlin Monaghan and ten registered voters)

ARTICLE 33 ZONING BYLAW AMENDMENT / REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw Section 5.5.2 DIMENSIONAL AND DENISTY REGULATIONS to adjust the rear yard setback requirement for uses of four or more stories in Business Districts; or take any action related thereto.

(Inserted at the request of Andrew Greenspon and ten registered voters)

ARTICLE 34 ZONING BYLAW AMENDMENT / RESIDENTIAL USES

To see if the Town will vote to amend Section 5.4 of the Town's Zoning Bylaws by changing the definitions, regulations and requirements of R0 Large Lot Single-Family Districts, R1 Single-Family Districts and R2 Two-Family Districts to permit the expansion of allowable residential uses in these districts, with the goal of diversifying the Town's housing stock; or take any action related thereto.

(Inserted at the request of John Paul Lewicke and ten registered voters)

ARTICLE 35 APPROPRIATION / PEG ACCESS BUDGET

To see if the Town will vote to appropriate or transfer a sum or sums of money for the support of public, educational, and/or governmental ("PEG") access cable television services, said sum or sums to be provided for by the cable franchise agreements and cable licensing fees, detailed in an operational cost, building expenses, and capital expense budget, and expended under the direction of the Town Manager; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 36 ENDORSEMENT OF PARKING BENEFIT DISTRICT EXPENDITURES

To see if the Town will vote to endorse the Parking Benefit District operating and capital expenditures for Fiscal Year 2025 prepared by the Town Manager and the Select Board consistent with the Town Bylaws; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 37 POSITIONS RECLASSIFICATION

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same if necessary, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Human Resources)

ARTICLE 38 AMENDMENTS TO FY24 BUDGETS

To see if the Town will vote to appropriate to and/or transfer funds between the FY2024 budget and appropriations and the long-term stabilization fund or other available funds as previously voted upon by the 2023 Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 39 APPROPRIATION / TOWN BUDGETS

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto: Finance Committee, Select Board, Town Manager, Human Resources, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Workers' Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Facilities, Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Elections, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Select Board and at the request of the Town Manager)

ARTICLE 40 CAPITAL BUDGET

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended; or take any action related thereto.

(Inserted by the Select Board, and at the request of the Town Manager
and the Capital Planning Committee)

ARTICLE 41 RESCIND PRIOR BORROWING AUTHORIZATIONS

To see if the Town will vote to rescind the authority to borrow, from prior years authorizations, the amounts remaining with regard to any numbered prior Annual and/or Special Town Meeting Warrant Articles; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

ARTICLE 42 APPROPRIATION / TRANSPORTATION INFRASTRUCTURE FUND

To see if the Town will vote to appropriate a sum of money received by the Town from the Commonwealth Transportation Infrastructure Fund to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town including, but not limited to, the Complete Streets Program, accepted by Town Meeting on May 4, 2015, established in Massachusetts General Laws Chapter 90I, Section 1 and other programs that support alternative modes of transportation; or take any action related thereto.

(Inserted at the request of the Town Manager)

**ARTICLE 43 APPROPRIATION / FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE 44 APPROPRIATION / FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE 45 APPROPRIATION / MINUTEMAN REGIONAL VOCATIONAL
TECHNICAL HIGH SCHOOL AND OUT OF DISTRICT VOCATIONAL
PLACEMENTS**

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, tuition, and all of Arlington's other obligations under the Minuteman Regional School District Agreement for the Minuteman Regional Vocational Technical High School, as well as paying the tuition for all other

out of district vocational education placements, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE 46 APPROPRIATION / COMMITTEES AND COMMISSIONS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Beautification Committee, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Human Recourses Board, Public Memorial Committee, Human Rights Commission, Arlington Committee on Tourism and Economic Development, Envision Arlington, Transportation Advisory Committee, Arlington Commission for Arts and Culture, Open Space Committee, and any other Town Committee or Commission; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 47 APPROPRIATION / TOWN CELEBRATIONS AND EVENTS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

- Memorial Day Observation and the Patriots' Day Celebration
- Display of American Flags on Massachusetts Avenue
- Placing of American Flags on the Graves of Veterans
- Town Day Celebration
- Veterans' Day Parade
- 250th Anniversary Celebration

(Inserted at the request of the Town Manager)

ARTICLE 48 APPROPRIATION / MISCELLANEOUS

To see if the Town will vote the following: Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 49 APPROPRIATION / WATER BODIES FUND

To see if the Town will vote to appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment, and oversight of all the Town's water bodies, said sum to be raised by the general tax and expended under the direction of the Town Manager, who will also report to Town Meeting on the status of the fund; or take any action related thereto.

(Inserted at the request of the Envision Arlington Standing Committee and its Spy Pond and Reservoir Task Groups, and the Arlington Conservation Commission)

ARTICLE 50 APPROPRIATION / COMMUNITY PRESERVATION FUND

To see if the Town will vote to make appropriations from the Community Preservation Fund for eligible community preservation projects; for community preservation reserve accounts for historic preservation, open space and recreation, and affordable housing; for Community Preservation Act Committee administrative expenses or other eligible expenses; or take any action related thereto.

(Inserted at the request of the Community Preservation Act Committee)

ARTICLE 51 APPROPRIATION / HARRY BARBER COMMUNITY SERVICE PROGRAM

To see if the Town will vote to appropriate a sum of money for the Harry Barber Community Service Program for the Council on Aging, to determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Council on Aging)

ARTICLE 52 APPROPRIATION / PENSION ADJUSTMENT FOR FORMER TWENTY-FIVE YEAR/ ACCIDENTAL DISABILITY EMPLOYEES

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement; this adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 53 APPROPRIATION / TAKINGS FOR STRATTON SCHOOL SAFE ROUTES

To see if the Town will vote to act by and through the Select Board to take by eminent domain, purchase, or otherwise acquire outright, or acquire permanent easements upon, portions of land in and around the Stratton Elementary School area for the purpose of placing sidewalks in connection with the Commonwealth's Safe Routes to School program, to appropriate a sum or sums of money for such acquisitions, determine how the money will be raised and expended, including the possibility of borrowing any or all of it; or take action related thereto.

(Inserted at the request of the Director of Planning and Community Development and the Town Manager)

ARTICLE 54 APPROPRIATION / PRIVATE WAY REPAIRS REVOLVING FUND

To see if the Town will vote to appropriate a sum of money into the Private Ways Repairs Revolving Fund; determine how much should be appropriated into such revolving fund; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 55 APPROPRIATION / MASSACHUSETTS PUBLIC LIBRARY CONSTRUCTION PROGRAM MATCH

To see if the Town will vote to apply for, accept and expend Massachusetts Public Library Construction Program ("MPLCP") grant funds if approved, and vote to raise and appropriate or take from available funds the sum of \$150,000 if said MPLCP grant is approved, said sum to be

expended by the Town for library assessment, planning, feasibility and design; or take any action related thereto.

(Inserted at the request of the Board of Library Trustees and the Library Director)

ARTICLE 56 LOCAL OPTION / ACCEPTANCE OF M.G.L. CHAPTER 203C THE PRUDENT INVESTOR RULE

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 203C and to authorize the trustee of the town's previously established Trust Funds, as authorized by Chapter 32B, Section 20 G.L. c. 44, § 54 and G.L. c. 44, §§ 55, 55A and 55B of the General Laws, as amended, to invest and reinvest the monies in such fund in accordance with the Prudent Investor Rule established under Chapter 203C of the Massachusetts General Laws; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 57 APPROPRIATION / MASTER PLAN UPDATE

To see if the Town will vote to appropriate \$50,000 to update the Master Plan as endorsed by Town Meeting on May 11, 2015; or take any action related thereto.

(Inserted at the request of the Director of Planning and Community Development)

ARTICLE 58 LOCAL OPTION TAXES

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 59 APPROPRIATION / OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND

To see if the Town will vote to accept into the Other Post Employment Benefits (OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources in order to administer and fund its OPEB obligations and administrative costs as described in said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 60 TRANSFER OF FUNDS / CEMETERY

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves" and/or "Perpetual Care Funds"; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 61 APPROPRIATION / OVERLAY RESERVE

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 62 APPROPRIATION / LONG TERM STABILIZATION FUND

To see if the Town will make an appropriation to the Long-Term Stabilization Fund in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other

appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 63 USE OF FREE CASH

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2024; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 64 APPROPRIATION / FISCAL STABILITY STABILIZATION FUND

To see if the Town will make an appropriation to or from the Fiscal Stability Stabilization Fund created under Article 65 of the 2005 Annual Town Meeting or any other enabling action of Town Meeting in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 65 COLLECTIVE BARGAINING

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Service Employees International Union;
- B. American Federation of State, County and Municipal Employees;
- C. Robbins Library Professional Association;
- D. Arlington Police Patrol Officers' Association;
- E. Arlington Ranking Officers' Association;
- F. Arlington International Association of Firefighters; and
- G. Management and Non-Union Employees
- H. Full-time elected officials

(Inserted at the request of the Town Manager)

ARTICLE 66 RESOLUTION / MBTA SERVICE

To see if the Town will vote to endorse a resolution calling for improvements to service provided to the Town of Arlington by the Massachusetts Bay Transportation Authority; or take any action related thereto.

(Inserted at the request of Paul Schlichtman and ten registered voters)

.... (SIGNED)
....A true copy.
Attest:

(SIGNED)
ERIC D. HELMUTH
JOHN V. HURD
DIANE M. MAHON
STEPHEN W. DECOURCEY
LENARD T. DIGGINS

SELECT BOARD
OF
THE
TOWN OF
ARLINGTON

WAYNE PARSEGHIAN
CONSTABLE

HOW TO VOTE BY ABSENTEE BALLOT

Reasons for voting absentee

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

Absence from the Town

Physical disability

Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$10,000 and up to five years in prison.

Applying for an absentee ballot

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

Your name as registered

Your registration address

Precinct, if you know it

The precise address to which you wish the ballot sent

Your own signature

Requesting to vote by mail

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and may be returned by mail or hand delivered.

Requesting to vote in person

If you prefer, you may request to vote in person before Election Day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

Applying to vote if you are absent from the state, in the armed services or a prisoner

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

What if I am permanently physically disabled?

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with the Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

NOTE: Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.



**ERIC D. HELMUTH, CHAIR
JOHN V. HURD, VICE CHAIR
DIANE M. MAHON
STEPHEN W. DEOURCEY
LENARD T. DIGGINS**

Sustainable Arlington

Meeting of March 20, 2024

Updates

Arlington receives \$50,000 grant to study feasibility of a networked geothermal in East Arlington.
[Arlington Awarded \\$50K Grant to Study Networked Geothermal | News | Town of Arlington \(arlingtonma.gov\)](https://www.arlingtonma.gov/News/2024/03/Arlington-Awarded-$50K-Grant-to-Study-Networked-Geothermal)

Arlington and Mystic River Watershed Association receive grant for green infrastructure projects in the Mystic River Watershed. [Arlington, MyRWA Net Close to \\$1 Million for Green Infrastructure Projects | News | Town of Arlington \(arlingtonma.gov\)](https://www.arlingtonma.gov/News/2024/03/Arlington-MyRWA-Net-Close-to-$1-Million-for-Green-Infrastructure-Projects). David Morgan will answer questions about this at our March meeting.

Private Jets at Hanscom

Recording of outstanding webinar on the climate impacts of private jets is available. This webinar attracted over 600 registrants from all over Massachusetts and 14 other states.
<https://www.stopprivatejetexpansion.org/march-6-webinar>

DEIR for the Private Jet Hangar Expansion at Hanscom is now unofficially available. It will be on the MEPA website Friday. Meanwhile, you can find a copy at the link below. (If you want appendices before Friday, let me know. Astonishingly, taking a leaf from P.T. Barnum, the developer would like to convince the public that building over 500,000 square feet of new hangar space at Hanford will actually reduce private jet activity!)

https://www.dropbox.com/scl/fi/7ve7nd2nsapt9d6ehzhsh/EEA-No-16654_Hanscom-No-Airfield-Development_Bedford_DEIR-031524.pdf?rlkey=tdi3zcsxec49favkfpv5lk22&dl=0

Humane Pet Shop By-Law

A measure to combat pet mills & the exotic pet trade



Overview

1. Does not apply to animal shelters or private breeders
2. This is mostly about pet mills
3. Would allow for partnerships between pet shops and animal shelters
4. Preventative measure





2.6 million

Puppies come from puppy mills every year

Not just puppies & kittens

Mammals



Birds



Reptiles



Amphibians



dreamstime.com
ID 68347464 © Shaunda Roberts

Why?

1. US pet dealers annually import 225 million live animals on average (Over 3 billion btwn 2000-2014), contributing to endangerment of wild species in their native ecosystems (African gray parrot, Madagascar tortoise) .
2. Many of these animals suffer and die during capture and transport, and live in cramped & inhumane conditions when captively bred.
3. Would allow for partnerships between pet shops and animal shelters.



Birds

1. 75–90% of wild-caught birds die before the point of sale and taking birds from the wild has negative effects on biodiversity.
2. Birds are not protected under the federal Animal Welfare Act. There is no federal oversight of pet stores or “bird mills.” Industrialized operations often house hundreds of birds in rows of barren cages w/no enrichment or interaction
3. 56 parrot species are present in 43 states & 25 species are actively breeding, including in Massachusetts (Example, monk parrots).



Reptiles & Amphibians

- 75% of pet snakes, lizards and tortoises die within the first year in the home.
- Around 75% of new diseases discovered in the last decade are zoonotic, including transmission from wild pets.
- August 2023, the Centers for Disease Control and Prevention released an advisory about an 11-state outbreak of salmonella bacteria linked to pet turtles





Photos courtesy of Salem
Wildlife Rescue



The Case of Red-Eared Sliders

- Banned from pet sales in Massachusetts in 2014.
- "...unwanted [pet turtles] were released so often that they have now become established as a breeding non-native turtle in several areas of the state." - Mass Wildlife
- According to MSPCA: "The red-eared slider now competes with native turtles [in Massachusetts]—including those that are listed as endangered, threatened, or species."



Federal & State Regulations

- Fall short when it comes to protecting animals from commercial breeding facilities
- USDA says its regulations are *minimal standards meant to keep animals alive*
- Hard to enforce
- Most animals sold in MA pet shops are bred outside of MA
- Local actions fills these gaps





■ Are there
shops that
sell pets in
Arlington?

Not yet

Other municipalities have enacted similar legislation

- Including 14 towns and cities
 - Cambridge, Lexington, Plymouth,
 - Springfield, Brookline, Boston and Stoneham
- As it becomes illegal for pet shops to sell animals in neighboring towns, we need to ensure pet shops don't encroach on us.



Part of something bigger

- Major stepping stone towards state-level legislation, which has been proposed
- There are many pet shops in The Commonwealth selling animals.



No Economic Impact

Widespread Support

- Dozens of Arlington Residents
- MSPCA
- Animal Defense League
- Boston Animal Rescue League
- Foster Parrots/RI Parrot Rescue
- House Rabbit Rescue/House Rabbit Connection
- Local Rescues such as Broken Tail Rescue, Black Cat Rescue, A Place for
 Ace Rescue
- The Turtle Rescue League

01

Prevention

02

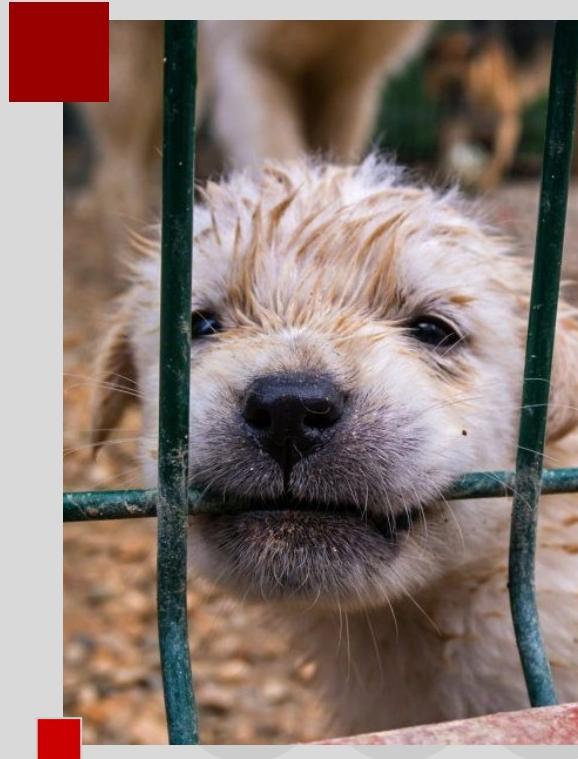
State-level
policy

03

Leadership
on values

04

Strong
constituent &
organizational
support



Shaded Parking Lots

A wide-angle photograph of a paved parking lot. The entire area is completely shaded by a dense canopy of tall, mature trees with thick trunks and spreading branches. The ground is a light-colored asphalt or concrete. In the background, there's a low building and some other vegetation. A few cars are parked in the lot, and a person is walking across the center.

GreenStreetsArlington.org

Shaded Parking

A More Livable Town

- Greener Streets
- Cooler and more Pleasant
- Better for Local Business

Climate Change Resilience

- Reduced Heat Islands
- Reduced Flooding
- Improved Air Quality

Advances Community Goals

- Sustainable Action Plan
- Hazard Mitigation Plan
- Net Zero Action Plan

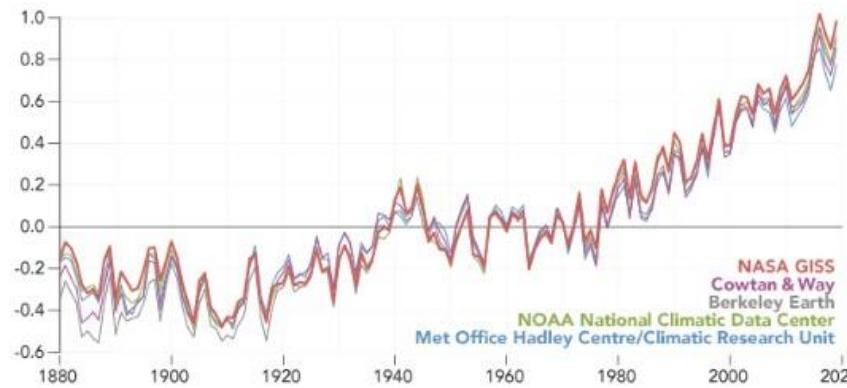


Right Here & Right Now

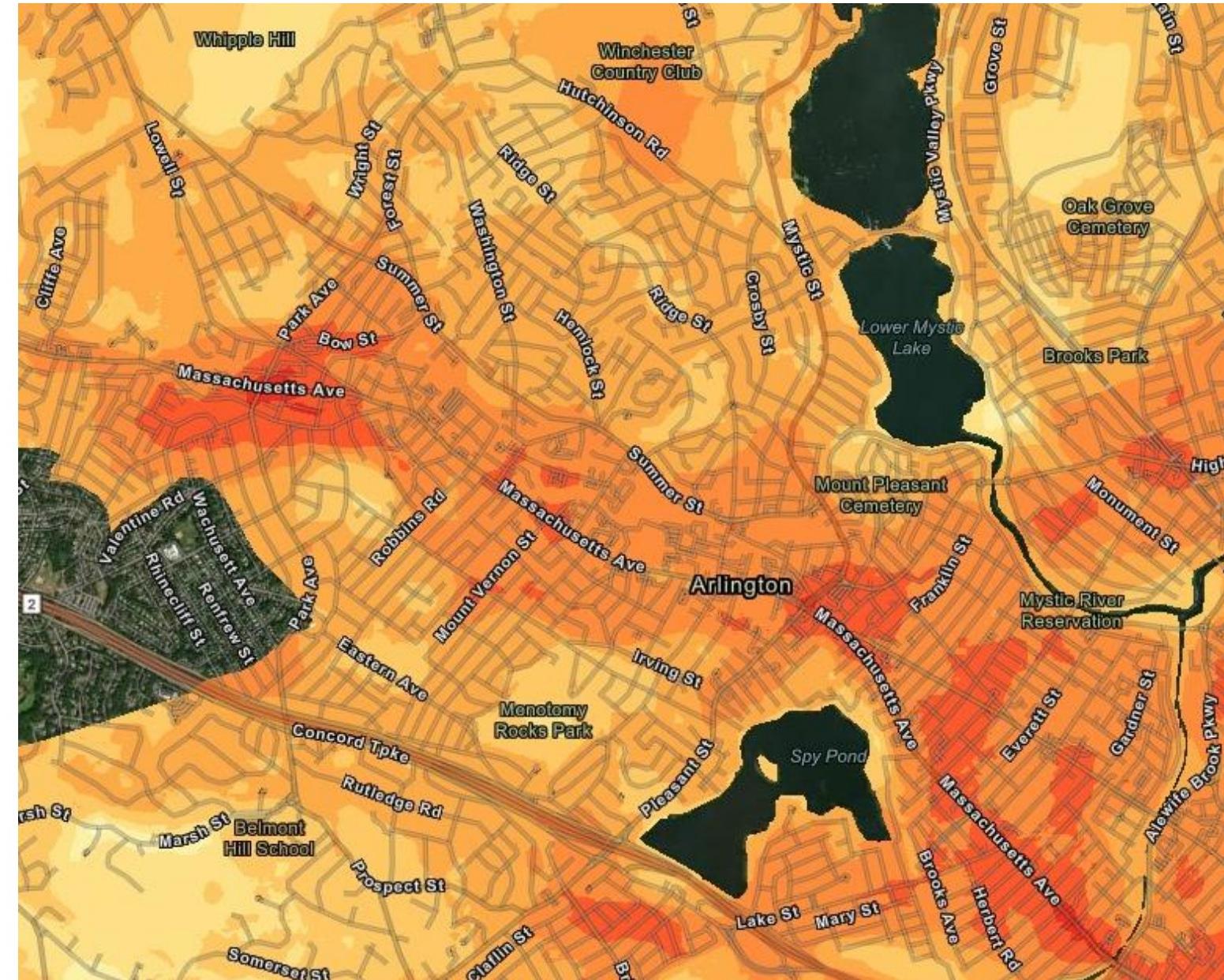
Climate Change is driving global temperatures higher

Unshaded “Heat Islands” contribute to Arlington’s warming

We can think globally & act locally,
> Right Here & Right Now <



Global Average Temperature



Arlington Temperature Map

Shaded Parking Lot Bylaw Amendment

6.1.11.D. (6) Parking areas providing more than 25 spaces shall include:

- Landscaped areas at least 8% of the total paved parking area
- Individual strips of landscaping at least four feet wide

 **In addition, pavement shade shall be provided by one or both of the following methods:**

a. Install one shade tree for every eight parking spaces, with some part of each space within 30 feet of a tree

- Tree planting areas at least six feet in diameter
- New trees at least three inches in diameter
- New trees selected from an approved Tree List
- New trees to be watered for three years
- Where practicable, existing trees retained

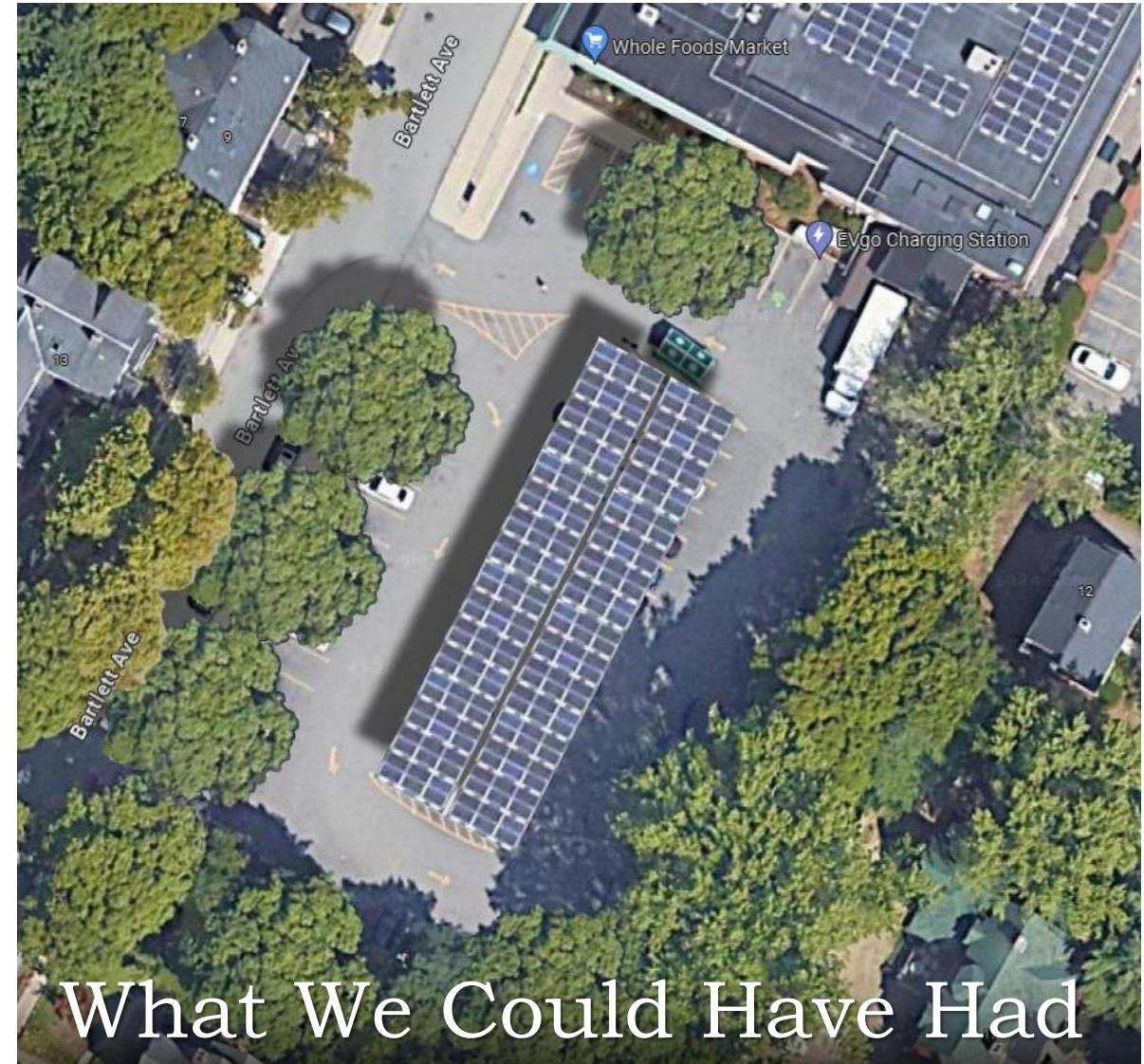
b. Install solar panels over parking spaces allowing cars to park underneath to a minimum of 50% of the parking lot surface

Example: Whole Foods parking lot



What We Have

81 Spaces, 0 Trees, 0 Solar panels



What We Could Have Had

80 Spaces, 5 Trees, 192 Solar panels



Shaded parking lots
An easily executed bylaw change
We ask for your support

GreenStreetsArlington.org

MEMORANDUM RE SECOND REVISED MAIN MOTION

TO: Planning Department and Redevelopment Board
From: Susan Stamps for Green Streets Arlington
Re: Town meeting Art. 30 "Shaded Parking Lots – changes requested to our previously submitted Revised Main Motion dated 2/11/24
Date: February 29, 2024

The proposed Revised Main Motion language for Article 30 submitted by Green Streets Arlington on 2/11/24 amending ZBL Section 6.1.11.D(6) included a new paragraph 6.1.11.D(6)a which consisted of two subparagraphs. The second subparagraph stated:

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Redevelopment Board may designate.

We got the above yellow highlighted language from ZBL Sec 6.3.4.D (Site Development Standards-Public Shade Trees, Standards), which says: "All new trees shall be maintained in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Redevelopment Board may designate" and we inserted the phrase "including watering."

After submitting the Revised Main Motion, we reviewed the American Standards for Nursery Stock (ASNS) and found that it does not address post-planting maintenance. Rather, it addresses pre-planting decisions, such as choosing appropriate plant stock for a given area. See <https://www.americanhort.org/education/american-nursery-stock-standards>

We checked with our Tree Warden, Tim Lecuire, and he confirmed we are correct about ASNS. He recommended that we use for the standard in Article 30 the USDA Forest Service Tree Owner's Manual found here:

<https://usfs-public.app.box.com/v/TreeOwnersManual>.

The full name of the publication is the USDA Forest Service Eastern Region State and Private Forestry | NA-FR-01-10 | July 2015 (Slightly rev. May 2021). However, since it is the only Tree Owner's Manual published by USDA, we feel it is not necessary to cite the full title in the ZBL, but that is up to the ARB. We are therefore changing our proposed Article 30 Main Motion to delete the reference to ASNS and replace it with the reference to the USDA Forest Service Tree Owner's Manual, as follows:

PREVIOUSLY SUBMITTED IN REVISED MAIN MOTION

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Redevelopment Board may designate.

REQUESTED NOW IN SECOND REVISED MAIN MOTION

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with the USDA Forest Service Tree Owner's manual standards for a period of no less than 36 months from the date of planting, or other standards the Redevelopment Board may designate.

We include a Second Revised Main Motion with this change. Also this Second Revised Motion adds language stating that this amendment applies to expanded parking lots (in addition to new parking lots); it also adds the Tree Owner's Manual standard for determining the size of a planting pit as an alternative to one with a diameter of 6 feet.

We respectfully ask that this SECOND REVISED MOTION be the submission that ARB considers at the March 4, 2024 hearing.

In addition, we suggest that the ARB may wish to include in its ZBL amendment package an amendment to the above-mentioned ZBL Sec 6.3.4.D (Site Development Standards-Public Shade Trees, Standards) to replace the reference to the Nursery Stock Standards with the reference to the USDA Forest Service Tree Owner's Manual.

####SHADED PARKING LOTS\2024 Main motion MEMO re 2nd rev motion v2 FINAL 2-29-24 SDS

SECOND REVISED Shaded Parking Lots Warrant Article Main Motion v2

Submitted by Susan Stamps for Green Streets Arlington
2-29-24 (see Stamps Memorandum 2/29/24 explaining revision)

Warrant Article Title:

ZONING BYLAW AMENDMENT/SHADED PARKING LOTS

Warrant Article Text:

To see if the Town will vote to amend Section 6.1.11.D. of the Zoning Bylaw to require that trees or other shade be provided in parking lots with more than 25 spaces, or take any action related thereto.

Requested by:

Inserted at the Request of [Susan Stamps, Green Streets Arlington] or [the Redevelopment Board]

Proposed ARB Report Excerpt:

This Article aligns with the Master Plan, which states that in addition to environmental and public health benefits, trees have a significant impact on the quality of the pedestrian's experience in Arlington's commercial centers and neighborhoods.

The [proponent/ARB] seeks to expand shade tree canopy coverage in town by requiring trees in large parking lots to: implement carbon neutral policies and climate mitigation goals of the Town of Arlington; reduce heat island effects emanating from Arlington's parking lots; control stormwater; and enhance public health and walkability with proper shading. This Article provides a nature-based solution to mitigate the impacts of the built environment.

The Redevelopment Board voted X-X to [recommend] [Favorable Action][No Action].

Vote Language:

That the Zoning Bylaw Sec. 6.1. Off Street Parking shall be and hereby is amended as follows:

See Additions and ~~strikeouts~~ for deletions.

Section 6.1.11 Parking and Loading Standards

D. All parking and loading areas containing over five spaces which are not inside a structure shall also be subject to the following.

(6) Parking areas providing more than 25 spaces, including parking areas expanded to provide more than 25 spaces, shall include landscaped areas in at least 8% of the total paved portion of the parking area. Minimum required landscaped setbacks and buffers at the perimeter of the parking area shall not be counted toward the landscaping requirement of this paragraph. Individual strips of landscaping shall be at least four feet wide. In addition, pavement shade in such parking lots shall be provided by one or both of the following methods (for shading requirements in Industrial Districts, see 6.1.11.F.):

a. Install one shade tree for every eight parking spaces; such trees must be spaced so that some part of each parking space is not more than 30 feet from a tree. Tree planting areas shall be at least six feet in diameter, or in accordance with the USDA Forest Service Tree Owner's Manual standards. New trees shall be at least three inches DBH (diameter at breast height) at the time of planting and shall be selected from a large shade tree list for parking lots under this section prepared by the Tree Warden or the Tree Committee.

To the extent practicable, existing trees shall be retained and used to satisfy this section. New trees shall be maintained, including watering, by the installer or its designee in accordance with the USDA Forest Service Tree Owner's Manual standards for a period of no less than 36 months from the date of planting, or other standards the Redevelopment Board may designate.

b. Install solar panels over parking spaces allowing cars to park underneath to increase shade to a minimum of 50% of the parking lot surface.

||

Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Select Board Hearing, March 18, 2024

Talia Fox, Sustainability Manager

Department of Planning & Community Development



Warrant Article 11

||

“To see if the Town will vote to amend Title VI, Article 10 of the Town Bylaws by **altering certain definitions** and provisions so that they are **more consistent** with the **Massachusetts Department of Energy Resources’ Fossil Fuel Free Demonstration Project Model Rule** and related language set forth in 225 CMR 24.00



Background: Fossil Fuel-Free Bylaw & Demonstration Program

- Arlington Special Town Meeting (Oct 2023) voted to adopt new Fossil Fuel-Free Bylaw (“Bylaw”)
- Bylaw **enables Arlington’s participation in Municipal Fossil Fuel-Free Building Demonstration Program** (“Demonstration Program”)
- Massachusetts Department of Energy Resources (DOER) formally accepted Arlington into Demonstration Program on February 21, 2024
- **Bylaw will take effect on May 21, 2024**



Background: Fossil Fuel-Free Bylaw & Demonstration Program

- DOER recommends Arlington **revise definition of “Major Renovation” in Bylaw to include additions and changes of use**
- Revision would **align Arlington’s definition with DOER’s Model Rule** and Demonstration Program regulations
- DOER is “concerned that **exempting these types of renovations ...will provide an incomplete picture of the impact of banning the use of fossil fuels in major renovations.**”



Requirements for Major Renovations in Existing Fossil Fuel-Free Bylaw

- **Equipment or appliances** used for space heating, service water heating, cooking, clothes drying, and/or lighting **that utilize fossil fuels may not be installed as part of major renovations**
- **Exemptions exist** in the Bylaw for: research/medical facilities; hot water for large buildings; utility-side connections; backup generators; portable propane appliances; extension or modification of existing fossil fuel heating systems; and repair of existing, unsafe piping
- Provisions for **waivers and appeals** exist in Bylaw



Current Definition of Major Renovations in Fossil Fuel-Free Bylaw

- Low-rise **residential alterations** exceeding 50% of the existing conditioned floor area AND exceeding 1,000 square feet (sq ft)
- **Commercial alterations** exceeding 50% of the existing conditioned floor area OR exceeding 20,000 sq ft



Proposed Amendments to Definition of Major Renovations in Bylaw

Add the following to the existing definition in the Fossil Fuel-Free Bylaw:

- **Low-rise residential additions** exceeding 1,000 sq ft OR exceeding 100% of the existing conditioned floor area
- **Commercial additions** exceeding 20,000 sq ft OR exceeding 100% of the existing conditioned floor area
- **Low-rise residential changes of use** exceeding 1,000 sq ft
- **Commercial changes of use** exceeding 20,000 sq ft or equal to 100% of the existing conditioned floor area



Expected Impact of Update to Definition

In 2023:

- **4** residential additions >1,000 sq ft or >100% of conditioned floor area
- **0** commercial additions >20,000 sq ft or >100% of conditioned floor area
- **0** residential or commercial changes of use over thresholds

In 2022:

- **2** residential additions >1,000 sq ft or >100% of conditioned floor area
- **0** commercial additions >20,000 sq ft or >100% of conditioned floor area
- **0** residential or commercial changes of use over thresholds



Thank you!

||

Talia Fox, Sustainability Manager

Department of Planning & Community Development

tfox@town.arlington.ma.us



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Jim Feeney, Town Manager
Cc: Claire Ricker, Director, Planning and Community Development
Michael Cunningham, Town Counsel
Michael Ciampa, Director, Inspectional Services
Ryan Katofsky, Chair, Clean Energy Future Committee
Ashley Maher, Select Board Administrator
From: Talia Fox, Sustainability Manager, Planning and Community Development
Date: March 13, 2024
RE: Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Warrant Article 11, Fossil Fuel-Free Bylaw Changes, proposes to update the current definition of major renovations in the Town's Fossil Fuel Free-Bylaw ("Bylaw") to include additions and changes of use. This memorandum provides the following information to guide the Select Board's discussion and vote on Article 11:

1. Background on the Fossil Fuel-Free Bylaw & Municipal Fossil Fuel-Free Building Demonstration Program
2. Description of the Current Definition & Proposed Updates to the Definition of Major Renovations
3. Expected Impact of Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

Background on the Fossil Fuel-Free Bylaw & Municipal Fossil Fuel-Free Building Demonstration Program

Arlington Special Town Meeting voted in October 2023 to amend Title VI of the Town Bylaws to add a new section entitled "Fossil Fuel-Free Demonstration." This new Bylaw restricts the use of fossil fuel infrastructure in new building construction and major renovations and enables the Town to participate in the Municipal Fossil Fuel-Free Building Demonstration Program ("Demonstration Program"). The Massachusetts Department of Energy Resources (DOER) formally accepted the Town into the Demonstration Program on February 21, 2024.

On December 22, 2023, DOER notified the Town of its likely acceptance into the Demonstration Program, conditional upon the Town meeting one of the Housing Eligibility Thresholds detailed in the regulations for the Demonstration Program, 225 CMR 24.05(2). Alongside the conditional acceptance notification, DOER recommended that the Town revise the definition of major renovations in its Bylaw to encompass additions and changes of use, aligning it with the Model Rule that DOER released alongside the Demonstration Program regulations. DOER expressed "[concern] that exempting these types of renovations from the requirement to be fossil fuel-free will provide an incomplete picture of the impact of banning the use of fossil fuels in major renovations."

The Town's 2023 Bylaw initially excluded additions and changes of use in the definition of major renovations in order to maintain consistency with the Town's 2020 Clean Heat Bylaw. However, the Town's Clean Energy

March 13, 2024

Future Committee determined that alignment with DOER's recommendation, as well as the opportunity to apply the Bylaw to more projects in Arlington, given the urgency of climate change, were goals justifying the update.

Description of the Current Definition & Proposed Updates to the Definition of Major Renovations

The current definition of major renovations in the Bylaw mirrors the definition of Level 3 Alterations in the International Existing Building Code (IEBC 2021) and includes significant alterations to existing space:

- Low-rise residential alterations in which the work area exceeds 50% of the conditioned floor area of the existing dwelling unit AND exceeds 1,000 square feet (sq ft).
- For all other building uses except low-rise residential, alterations in which the work area exceeds 50% of the existing conditioned floor area OR exceeds 20,000 sq ft.

The proposed amendment would *add* the following to the definition of major renovations:

- Low-rise residential additions in which the work area exceeds 1,000 sq ft OR exceeds 100% of the conditioned floor area of the existing dwelling unit.
- For all other uses, additions in which the work area exceeds 20,000 sq ft OR exceeds 100% of the existing conditioned floor area of the building.
- Low-rise residential changes of use exceeding 1,000 sq ft.
- For all other uses, changes of use exceeding 20,000 sq ft or equal to 100% of the existing conditioned floor area of the building.

In the revised Bylaw, all alterations, as well as additions and changes of use that exceed the thresholds listed above, would be subject to the requirements of the Bylaw for major renovations. The Bylaw states that equipment or appliances using fossil fuels may not be installed for space or service water heating, cooking, clothes drying, and/or lighting as part of a major renovation. There remain several exemptions detailed in the Bylaw as well as an option to pursue a waiver in cases where compliance with the Bylaw renders a project financially infeasible or impractical to implement.

Expected Impact of Warrant Article 11: Fossil Fuel-Free Bylaw Language Changes

The updated definition is expected to increase slightly the number of projects to which the Bylaw applies. In the past two years, a total of six (6) changes of use have occurred which surpass the thresholds outlined in the proposed amendments to the definition. Per conversations with the Director of Inspectional Services, these numbers are generally representative of recent trends in Arlington.

In 2023:

- Four (4) residential additions exceeded 1,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) commercial additions exceeded 20,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) residential or commercial changes of use exceeded the thresholds for these uses.

In 2022:

- Two (2) residential additions exceeded 1,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) commercial additions exceeded 20,000 sq ft or 100% of the existing conditioned floor area.
- Zero (0) residential or commercial changes of use exceeded the thresholds for these uses.

► Factsheet #5

Wild Animals Formerly Kept as Pets Are Harming Local Ecosystems

Wild animals formerly kept as pets are now a major cause of the spread of non-native species and have already resulted in the establishment of several hundred invasive animal species.¹ Stories about the release or escape of wild animals are regularly in the news, ranging from goldfish to kinkajous to ball pythons.^{2,3,4}

This creates a welfare issue – with some animals killed by predators, starvation, or exposure – and can be devastating for ecosystems. Non-native animals introduce disease and bacteria to animals without immunity to these pathogens and compete with native animals for food and habitat. More than 200 species of imported fishes have been introduced to the wild in the United States, and nearly half of those species established breeding populations.⁵

Globally, non-native species are responsible for \$1.4 trillion in damage and control expenses and cost the United States an estimated \$120 billion annually.^{6,7} As a result, many states regulate or ban numerous species commonly sold in large retail stores. For example:

- Florida banned the possession and sale of green iguanas in 2020.⁸ The endangered Miami blue butterfly is struggling in the Florida Keys because green iguanas eat the plants where the butterflies lay their eggs.⁹
- Massachusetts banned the possession of red-eared sliders in 2014 because they were released so often, harming local turtle populations.^{10,11} For similar reasons, the sale and/or possession of red-eared sliders is banned in multiple states, including Oregon and Florida.
- Pennsylvania, Georgia, California, and other states banned the possession of the Quaker parakeet (also called the monk parakeet) due to concerns about the damage they can cause to electrical lines, utility poles, and agriculture.¹²

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► Factsheet #4

Wild “Pets” Are a Key Driver of the Destructive Wildlife Trade

The wildlife trade is a multibillion-dollar industry that is fueling the extinction or decline of numerous species.¹

- The legal and illegal trade “is estimated to affect one in four mammal and bird species globally.”²
- The United States is a top importer of wildlife, and the sale of wild animals as pets is a major driver.³
- Between 2000 and 2012, the United States imported 225 million live animals, with most animals intended for the aquarium and pet industry.⁴

The removal of animals from the wild for use as pets has already resulted in population decrease or collapse for many species.⁵

- Tens of thousands of wild animal species are not protected by international trade agreements like the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which makes it hard to monitor the impacts of trade.
- “If you look at habitat loss, pollution, or climate change, they have a trickling effect on nature over time, but trade is governed by supply and demand. You might have had a species 10 years ago that was of little concern and off the radar, but now it is critically endangered and on the brink of extinction.” – Brett Scheffers, University of Florida conservation biologist.⁶

Spotlight on the Reptile Trade:

Reptiles comprise roughly 20% of the global live animal trade.⁷ CITES covers only 8% of the world’s 10,700 reptile species leaving most species vulnerable to exploitation.⁸ Many of the reptiles sold as pets are illegally taken from the wild but marketed as captively-bred.⁹ For example:

- Most green pythons (*Morelia viridis*) exported from Indonesia are caught illegally in the wild – decreasing local populations – and laundered through breeding farms.¹⁰
- Tokay geckos, another popular pet store species, are generally taken from the wild because it’s much cheaper than breeding them. Like green pythons, Tokay geckos are trapped in the wild, transferred to facilities that secure paperwork stating the animals are captive-bred, and finally legally shipped to the United States.¹¹
- As one senior specialist at the US Fish and Wildlife Service noted, “The infiltration of traffickers into the legal trade has been happening for many years. These animals show up here in declared shipments, and we can’t do anything about it.”¹²



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